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OFFICE OF PETITIONS

In re Application of	:	
Robert L. Diaz et al	:	
Application No. 10/769,743	:	DECISION ON PETITION
Filed: January 23, 2004	:	TO MAKE SPECIAL UNDER
Attorney Docket No. 2385.005	:	37 CFR 1.102(c)(1)
	:	

This is a decision on the petition under 37 CFR 1.102(c)(1), filed October 19, 2005, to make the above-identified application special based on applicant's age as set forth in M.P.E.P. § 708.02, Section IV.

The petition is **DISMISSED** due to the face that applicant Robert L. Diaz is only 64 years of age.

A grantable petition to make an application special under 37 CFR 1.102(c)(1) and MPEP § 708.02, Section IV: Applicant's Age, must be accompanied by evidence showing that at least one of the applicants is 65 years of age, or more, such as a birth certificate or a statement by applicant. No fee is required.

Further correspondence with respect to this matter should be addressed as follows:

By Mail: Mail Stop PETITION
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Telephone inquiries concerning this decision should be directed to Wan Laymon at 571-272-3220.

All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

This matter is being referred to Technology Center Art Unit 3733 for action in its regular turn.


David Bucci
Petitions Examiner
Office of Petitions